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No. 2] NEW DELHI, SATURDAY, JANUARY 12, 1952

NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 9th January, 1952 :—

Issue No.	No. and date	Issued by	Subject
222	S.R.O. 2100, dated the 27th December, 1951.	Ministry of Law	Notification regarding lists of valid nominations in certain constituencies of West Bengal.
222A	S.R.O. 2100A, dated the 28th December, 1951.	Ditto	Corrections made in the Delimitation of Parliamentary and Assembly Constituencies (PEPSU) order, 1951.
223	S.R.O. 2101, dated the 31st December, 1951.	Ministry of Commerce and Industry.	Amendment made in the notification of the Textile Commissioner No. S.R.O. 1793, dated the 21st November 1951.
	S.R.O. 2102 dated the 31st December, 1951.	Ditto	Amendments made in the notification of the Textile Commissioner No. S.R.O. 1818, dated the 20th October 1951.
1	S.R.O. 1, dated the 1st January, 1952.	Ministry of Food and Agriculture.	Fixation of maximum price of vegetable oil.
2	S.R.O. 2, dated the 2nd January, 1952.	Ministry of Finance (Rev. Div.)	Exemption of additional custom duty of Copra imported into India.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi, the 5th January 1952

S.R.O. 43.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby exempts Captain P. L.

Suba and Lt. B. Parajuli, accompanying the Honourable the Prime Minister of Nepal to New Delhi, from the operation of the prohibitions and directions contained in sections 6, 10 and 13 to 15 of the said Act in respect of two .38 bore revolvers Nos. 418303 and 857608, together with twelve cartridges for each.

[No. 9/1/52-Police (I).]

U. K. GHOSHAL, Dy. Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)

CHARTERED ACCOUNTANTS.

New Delhi, the 7th December 1951

S.R.O. 44.—In exercise of the powers conferred by sub-section (2A) of section 144 of the Indian Companies Act, 1913, (VII of 1913), the Central Government hereby makes the following rules, namely:—

1. (1) These Rules may be called the Restricted Auditors' Certificates (Part B States) Rules, 1951.

(2) They extend to all Part B States other than the State of Jammu and Kashmir.

(3) They shall come into force at once.

2. In these rules, unless the context otherwise requires—

(a) "Council" means the Council of the Institute of Chartered Accountants of India,

(b) "Form" means a form appended to these rules,

(c) "Institute" means the Institute of Chartered Accountants of India.

(d) "Secretary" means the Secretary to the Council,

(e) "Year" means the period commencing on the 1st day of April of any year and ending on the 31st day of March of the succeeding year.

3. (1) Every person holding a certificate granted under a law in force in the whole or in any portion of a Part B State immediately before the commencement of the Part B States (Laws) Act, 1951, (III of 1951), entitling him to act as an auditor of companies in that State or any portion thereof shall, if he desires to continue to act as such auditor, make an application within three months from the commencement of these rules, to the Secretary in Form A.

(2) Every such application shall be accompanied by the original certificate or a duly certified copy thereof, together with a spare copy of the certificate.

4. (1) On receiving an application under rule 3, the Council shall, unless the applicant is subject to any of the disabilities specified in rule 10, enter his name in a register to be called the Restricted Auditors' Certificates (Part B States) Register.

(2) The Council shall maintain the register referred to in sub-rule (1) in Form B.

5. (1) Every person whose name has been entered in the Register referred to in rule 4 shall be entitled to receive a certificate from the Council in Form C.

(2) Every such certificate shall be valid until the 30th June in the year next following.

6. Any person referred to in rule 3 who fails to make an application to the Council within the period specified in that rule or having made such an application has been refused a certificate under rule 5 shall cease to be entitled to be appointed to act as an auditor under sub-section (2) of section 144 of the Indian Companies Act, 1913.

7. In the month of April each year, every holder of a certificate referred to in rule 5, intending to continue to practise as an auditor shall send a report to that effect to the Secretary in Form D in respect of the renewal of the certificate. A person who fails to send such a report shall cease to be entitled to be appointed to act as an auditor and his name shall be removed from the Register referred to in rule 4 unless, on an application made in this behalf, the Council condones the omission. The name so removed shall be notified in the Gazette of India.

8. The Council shall, on condonation of the omission referred to in rule 7, restore the name of the person to the Register. The restoration shall be notified in the Gazette of India.

9. (1) Every person entitled to act as an auditor of companies under rule 3 shall, so long as he is so entitled, style himself as "Restricted State Auditor" or where he practises under a trade name as "Restricted State Auditors" and shall use the letters "R.S.A." after his name.

(2) A firm shall not be entitled to style itself "Restricted State Auditor" unless all of its partners are entitled to act as auditors of companies under rule 3 above.

10. The Council may at any time suspend or cancel a certificate referred to in rule 5

(1) if the holder,

(a) has been adjudged by a competent court to be of unsound mind,

(b) is an undischarged insolvent,

(c) being a discharged insolvent has not obtained a certificate from the court that his insolvency was caused by misfortune without any misconduct on his part,

(d) has been convicted by a competent court, whether within or without India, of an offence involving moral turpitude and punishable with transportation or imprisonment or of an offence not of a technical nature, committed by him in his professional capacity unless he has been granted a pardon in respect of the offence committed, or on an application made by him in this behalf, the Central Government has, by an order in writing, removed the disability,

(e) has been declared by the Central Government not to be a fit and proper person to be holder of a certificate under rule 5 by reason of any act of negligence, misconduct or dishonesty committed in his professional capacity, or of any breach of professional propriety, provided that before making such a declaration, the Central Government shall call upon the auditor to show cause why his certificate should not be cancelled and cause such enquiry to be made, as it may consider proper and necessary.

(Explanation:—Without prejudice to the generality of the reference to any breach of professional propriety, any act or omission specified in the Appendix to these Rules shall be deemed to be such breach).

(2) on a request received from the auditor in this behalf,

Provided that the Council shall restore his name to the Register if the auditor makes a request to the Council to that effect within one year of the date of such suspension or cancellation.

The restoration shall be notified in the Gazette of India.

11. The suspension or cancellation of a certificate shall be notified in the Gazette of India and communicated to the holder of the certificate at his usual address.

12. For the purpose of a sub-clause (e) of clause (1) of rule 10, the following procedure shall be followed:—

(1) subject to the provisions of this rule, all complaints regarding any act of negligence, misconduct, or dishonesty or any breach of professional propriety referred to in sub-clause (e) of clause (1) of rule 10 against a holder of the certificate referred to in rule 5 shall be investigated and all other enquiries relating to misconduct of such a holder shall be held by the Disciplinary Committee of the Council.

(2) A complaint referred to in clause (1) other than a complaint made by or on behalf of the Central or State Government, shall be in Form E.

(3) Every such complaint shall contain the following particulars, namely,

(a) the acts and omissions which if proved would render the person complained against unfit and not a proper person to be a holder of the certificate;

(b) the oral or documentary evidence relied upon in support of the allegations made in the complaint.

(4) The Secretary shall return the complaint which is not in the proper form, or which does not contain the aforesaid particulars to the complainant for representation after compliance with such objections and within such time as the Secretary may specify.

(5) Within sixty days ordinarily of the receipt of a complaint referred to in clause (1) including a complaint by or on behalf of the Central Government or a State Government, the Secretary shall,

(a) if the complaint is against an individual auditor, send a copy thereof to such an auditor at his address entered in the Register;

(b) if the complaint is against a firm, send a copy of the complaint to the firm at the address of the head office of the firm as communicated by the complainant, calling upon the firm to disclose the name of the auditor concerned and to send a copy of the complaint to such auditor.

(Explanation:—A notice to the firm shall be a notice to all the auditors who are partners or employees of that firm).

(6) An auditor against whom the complaint is made may within fourteen days of the service of a copy of the complaint under clause (5) of rule 12 or within such time as may be extended by the Secretary, forward to the Secretary a written statement in his defence verified in the same manner as a pleading in a Civil Court.

(7) If on a perusal of the complaint other than a complaint by or on behalf of the Central or a State Government and the written statement, if any, of the auditor concerned and other relevant documents and papers, the Council is of the opinion that there is a *prima facie* case against such an auditor the Council shall cause an enquiry to be made in the matter by the Disciplinary Committee of the Council. If the Council is of the opinion that there is no *prima facie* case against the auditor concerned the complaint shall be filed and the complainant the Auditor concerned and the Central Government shall be informed accordingly.

(8) Notwithstanding anything hereinbefore contained in this rule, the Secretary shall forward a complaint received from or on behalf of the Central or State Government together with the written statement, if any, of the auditor concerned direct to the Disciplinary Committee of the Council for enquiry.

(9) Every notice issued by the Secretary or by the Disciplinary Committee under this rule shall be sent to the auditor or the firm concerned by registered post with acknowledgement due. If such notice is returned unserved with an endorsement indicating that the addressee has refused to accept the notice, the notice shall be deemed to have been served. If the notice is returned unserved with an endorsement that the addressee cannot be found at the address given, the Secretary shall ask the complainant to supply to him the correct address of the auditor or the firm concerned. A fresh notice shall be served upon the auditor of the firm at the address so supplied.

(10) It shall be the duty of the Secretary to place before the Disciplinary Committee all facts brought to his knowledge which are relevant for the purpose of an enquiry by the Disciplinary Committee.

(11) An auditor against whom the complaint is made shall have the right to defend himself before the Disciplinary Committee of the Council either in person or through a legal representative or any other Restricted State Auditor or a Member of the Institute.

(12) Except as otherwise provided in these rules, the Disciplinary Committee of the Council shall have the power to regulate its procedure in such manner as it considers necessary and during the course of enquiry may examine witnesses on oath, receive affidavits and any other oral or documentary evidence.

(13) The Disciplinary Committee of the Council shall submit its report to the Council and the Council shall consider the report of the Disciplinary Committee and after making such further enquiry if any; as it may deem necessary, forward the same together with its findings to the Central Government.

(14) On receipt of the findings of the Council, the Central Government shall pass such orders as it may consider fit or may refer the case back for further enquiry by the Council and upon receipt of the finding after such enquiry pass final orders thereon.

APPENDIX

[See Rule 10 (1) (e)]

A restricted State Auditor shall be deemed to be guilty of breach of professional propriety rendering him to be unfit to act as such if he:

- (a) represents that he is a member of the Institute of Chartered Accountants of India or uses the designation "Chartered Accountant" and/or words likely to create an impression that he is a member of the Institute;
- (b) allows any person to practise in his name as a restricted State Auditor unless such a person is also a Restricted State Auditor and is in partnership with or employed by his firm or himself;
- (c) pays or allows or agrees to pay or allow, directly or indirectly, to any person other than a Restricted State Auditor or a retired partner or a nominee or the legal representative of such partner, any share, commission, or brokerage in the fees or profits of his professional services;
- (d) accepts or agrees to accept any part of the profits of the professional work of a lawyer, auctioneer, broker or other agent who is not a Restricted State Auditor;
- (e) enters into partnership with any other person other than a Restricted State Auditor or secures either through the services of a person not qualified to be a Restricted State Auditor or by means which are not open to a Restricted State Auditor, any professional business;
- (f) solicits clients or professional work either directly or indirectly, by circular, advertisement personal communication or interview or by any other means;
- (g) advertises his professional attainments of service, or uses any designation or expressions other than "Restricted State Auditor" on professional documents, letter-heads, visiting-cards or sign-boards, unless it be a degree of a University established by law in India or recognised by the Council;
- (h) discloses information acquired in the course of his professional engagement to any person other than his client, or otherwise than as required by any law in force for the time being;
- (i) accepts a position as auditor previously held by a Restricted State Auditor or a Chartered Accountant without first communicating with him in writing;
- (j) accepts an appointment as auditor of a company without first ascertaining from it whether the requirements of section 144 of the Indian Companies Act, 1913 (VII of 1913), in respect of the appointments of auditors, have been duly complied with;
- (k) certifies or submits in his name or in the name of his firm a report of an examination of financial statements unless the examination of such statements and the related records has been made by him or by a partner or any employee in his firm or by another Restricted State Auditor;
- (l) permits his name or the name of his firm to be used in connection with an estimate of earnings contingent upon future transaction in a manner which may lead to the belief that he vouches for the accuracy of the forecast;
- (m) expresses his opinion of financial statements of any business or any enterprise in which he, his firm or a partner in his firm has a substantial interest, unless he discloses the interest also in his report;
- (n) charges in respect of his professional employment fees which are based on the percentage of profits or which are contingent on results;
- (o) engages in any business or occupation other than the professional or a Restricted State Auditor unless permitted by the Council to be so engaged; PROVIDED that nothing contained herein shall disentitle in a Restricted State Auditor from being a director in a company unless he or any of his partners is interested in such a company as auditor;
- (p) fails to disclose a material fact known to him which is not disclosed in a financial statement; but disclosure of which is necessary to make the financial statement not misleading;

- (q) fails to report a material misstatement known to him to appear in a financial statement with which he is concerned in a professional capacity;
- (r) is grossly negligent in the conduct of his professional duties;
- (s) fails to obtain sufficient information to warrant the expression of an opinion or his exceptions are sufficiently material to negate the expression of an opinion;
- (t) fails to invite attention to any material departure from the generally accepted procedure of auditor applicable to the circumstances;
- (u) fails to keep monies of his client in a separate banking account or to use such monies for which they are intended;
- (v) includes in any statement, return or form to be submitted to the Central or State Government or the Institute any particulars knowing them to be false;
- (w) is guilty of such other act or omission in his professional capacity as may be specified by the Council or the Central Government by a notification in the Gazette of India.

FORM A

[See rule 3(1)]

Form of Application for a Restricted State Auditors' Certificate.

To/

The Secretary to the Council of the
Institute of Chartered Accountants of India.

Sir,

I beg to apply for a Restricted State Auditors' Certificate for practising in the State of I also hereby declare that I am not subject to any of the disabilities stated in rule 10 of the Restricted State Auditors' Certificates (Part B States) Rules, 1951.

1. Name in full (block letters).
2. Professional address.
3. Residential address.
4. Father's name.
5. Nationality.
6. Date of birth*
7. Particulars of qualifications*
8. Place of business.
9. Date of commencement of business.
10. Occupation in full.
11. Whether holding a salaried employment in addition to practice as auditor.
12. Whether engaged in any other occupation besides 10 and 11 above.
13. Whether intend to continue engagement at 11 and 12 in addition to practice.
14. Whether at any time debarred from practising as an accountant or auditor and if so the reason and duration thereof.

2. I hereby declare that if granted a Restricted State Auditor's Certificate, I will be bound by the rules that are in force or may be made from time to time by the Central Government hereafter.

3. I also send herewith the original/certified true copies of the State Auditors' Certificate held by me in the State of with an additional spare copy thereof.

Yours faithfully,

Place.....

Date.....

N.B.—*Documentary evidence in respect of the date of birth and qualification will have to be produced with this application.

FORM B

[See rule 4(2)]

Restricted Auditors' Certificates (Part B States) Register.

- (1) No.
- (2) Name.
- (3) Father's name.
- (4) Date of birth.
- (5) Professional address.
- (6) Residential address.
- (7) Qualifications.
- (8) Certificate for the State of.
- (9) Date of Issue.
- (10) Whether practising independently or in partnership and name of firm.
- (11) Whether holding a salaried employment in addition to his practice as an auditor.
- (12) Remarks.

FORM C

[See rule 5(1)]

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Restricted State Auditors' Certificate

This is to certify that has been granted a Restricted State Auditor's Certificate for practice within the State of He is, therefore entitled to be appointed and to act as auditor of companies within the State of

This certificate is valid from the day of 19 .. to the 30th day of June 19 .. inclusive.

Given under the Common Seal of the Institute of Chartered Accountants of India, this day of 19 ..
Seal

President.

Secretary.

FORM D

[See rule 7]

To Report of the intention to continue practice in the State of.....

The Secretary to the Council of the Institute of Chartered Accountants of India.

Dear Sir,

I hereby apply for the renewal of my Restricted State Auditors' Certificate within the State of

*2. I declare that I am not engaged in any other occupation or business besides the profession of accountancy. If and when I intend to be so engaged, I shall obtain the prior permission of the Council.

*3. I am engaged in other occupation (s) besides the practice of the profession of accountancy as for which permission of the Council has already been obtained (*vide* their letter No. dated).

4 As and when I cease to be in practice, I shall duly inform the Council.

5. I hold the Restricted State Auditors' certificate No. for practice within the State of for the period ending.....

Yours faithfully,

Signature,
R.S.A.C. No.

Place.....
Date.....

*Delete the para not applicable

FORM E

[See rule 12(2)]

*Form of Complaint***BEFORE THE COUNCIL OF THE INSTITUTE OF CHARTERED ACCOUNTANTS
OF INDIA****BETWEEN****Petitioner****AND****Respondent.**

Petitioner's address.

Particulars of complaint in paragraphs consecutively numbered.

Particulars of evidence, oral and documentary, if any to substantiate the complaint.

VERIFICATION

I, the petitioner do hereby declare that what is stated above is true to the best of information, knowledge and belief.

Verified to-day the day of 19 at.....

Signature.

[No. 61(9)ICA/51.]

B. K. KAUL, Dy. Secy.*New Delhi, the 12th January 1952*

S.R.O. 45.—In exercise of the powers conferred by sub-section (3) of section 23 of the Foreign Exchange Regulation Act, 1947 (VII of 1947), the Central Government hereby authorises all Collectors, Deputy Collectors and Assistant Collectors of Customs or of Central Excise to make complaints in writing within the local limits of their respective jurisdictions in cases of import or export of gold or silver in contravention of section 8 of the said Act.

[No. 7(14)-EF-VII/51.]

S. S. SHIRALKAR, Dy. Secy.**MINISTRY OF FINANCE (REVENUE DIVISION)****STAMPS***New Delhi, the 4th January 1952*

S.R.O. 46.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), and in partial modification of the notification of the Government of India in the late Finance Department (Central Revenues), No. 6-Stamps, dated the 14th August 1937, the Central Government hereby remits the stamp duty chargeable on receipt given by an opium cultivator or his representative or by a lambardar or khattadar for money paid to him by the Central Government as an advance for the cultivation of opium or as value of the opium supplied by him.

2. Item 4 of the notification referred to above is hereby omitted.

[No. 1.]

CUSTOMS*New Delhi, the 12th January 1952*

S.R.O. 47.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government

of India in the Ministry of Finance (Revenue Division), No. 20-Customs, dated the 4th October 1947, namely:—

For the Schedule annexed to the said notification, the following shall be substituted, namely:—

'SCHEDULE'

Continent of Africa.—"From the mouth of the River Senegal along that river eastward to the 15 degree North Parallel of latitude, thence eastward along that parallel to the eastern border of the Anglo-Egyptian Sudan, thence northward along the northwestern boundary of Eritrea to the Red Sea Coast, thence southward along the east coast of Africa to the southern boundary of Tanganyika territory, thence westward along that boundary to its junction with the eastern boundary of Nyassaland, thence along that boundary successively southward, westward and northward to its junction with the eastern boundary of Northern Rhodesia, thence successively westward, southward and again westward along the southern boundary of Northern Rhodesia to its junction with the northern boundary of Bechuanaland, thence along that boundary successively southward, westward and northward to its junction with the southern boundary of Angola and thence westward along that boundary to the west coast of Africa, thence northward along the west coast of Africa to the mouth of the River Senegal: including the islands of the Gulf of Guinea."

Continent of South America.—Brazil, Bolivia, Peru, Ecuador, Colombia, the Republic of Panama including the Panama Canal Zone, Venezuela, British Guiana, French Guiana and Dutch Guiana.'

[No. 3.]

D. P. ANAND, Dy. Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 2nd January 1952

S.R.O. 48.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following further amendment shall be made in the Iron and Steel (Scrap Control) Order, 1943, namely:—

After clause 3 in the said Order, the following clause shall be inserted, namely:—

"3-A. *Use of Scrap to conform to conditions governing acquisition.*—A person acquiring scrap in accordance with the provisions of clause 3 shall not use it otherwise than in accordance with any conditions contained or incorporated in the document which was the authority for the acquisition."

[No. SC(A)-4(117).]

N. R. REDDY, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

AGRICULTURE

New Delhi, the 4th January 1952

S.R.O. 49.—Under Section 4 (IX) of the Indian Cotton Cess Act 1923 (XIV of 1923), the Central Government are pleased to appoint on the nomination of the Government of Saurashtra, Seth Shantilal Mangaldas, President, Saurashtra Millowners' Association, as a member of the Indian Central Cotton Committee Bombay vice Seth Bhogilal M. Shah resigned.

[No. F 1-6/51-CJ.]

S. R. MAINI Dy. Secy.

New Delhi, the 7th January 1952

S.R.O. 50.—In exercise of the powers conferred by clause 3 of the Sugar and Gur Control Order, 1950, and in partial modification of the Government of India in the Ministry of Food and Agriculture Notification S.R.O. 1597, dated the 18th October, 1951, the Central Government is pleased to direct that the price of cane purchased by the Indian Sugar and Refinery Ltd., Hospet in the villages of Kheri and Gollarahalli in their factory area during the crushing season 1951-52 shall be Rs. 1-2-0 per maund.

[No. SV-101(1)/51-52.]

S. K. MIRCHANDANI, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 3rd January 1952

S.R.O. 51.—The following draft of a further amendment to the Drugs Rules, 1945, which it is proposed to make in exercise of the powers conferred by section 12 of the Drugs Act, 1940 (XXIII of 1940), is published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 12th April, 1952.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In Rule 32 of the said Rules, the words and figures "and conforms to the standards laid down in Part XII" shall be added at the end.

[No. F. 1-13/51-DS.]

J. N. SAKSENA, Under Secy.

New Delhi, the 7th January, 1952

S.R.O. 52.—In exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1933 (XXVII of 1933), the Central Government after consultation with the Medical Council of India hereby directs that the following further amendment shall be made in the Second Schedule to the said Act, namely:—

In the said Schedule, after the entry relating to HONG KONG, the following entry shall be inserted, namely:—

"HYDERABAD—

Osmania University

M.B., B.S.

Medicine and Surgery."

[No. F. 17-21/51-MI.]

S. DEVANATH, Under Secy.

MINISTRY OF REHABILITATION

New Delhi, the 8th January 1952

S.R.O. 53.—In exercise of the powers conferred by section 57 of the Displaced Persons (Debts Adjustment) Act, 1951 (LXX of 1951) the Central Government hereby makes the following rules, namely:—

1. *Short title.*—These rules may be called the Displaced Persons (Debts Adjustment) Rules, 1951.

2. *Definitions.*—In these rules unless the context otherwise requires:—

(a) "form" means a form in the Schedule to these rules;

(b) "Section" means a section of the Act;

(c) "the Act" means the Displaced Persons (Debts Adjustment) Act, 1951.

3. *Additional particulars to be given in an application under section 5.*—Besides the particulars specified in sub-section (2) of section 5 an application under sub-section (1) of that section shall contain the following additional particulars, namely:—

- (a) Where the applicant or respondent is a minor or a person of unsound mind, a statement to that effect;
- (b) a statement of any fact or circumstance which in the opinion of the applicant should be taken into account by the Tribunal in the adjustment of the debts.

4. *Form of notice under section 5.*—The notice referred to in section 5 shall be in form A.

5. *Form and contents of application under section 10.*—Every application by a displaced person under section 10 shall be as nearly as may be, in the form of a plaint in a suit under the Code of Civil Procedure, 1908 (Act V of 1908) and shall contain the following particulars, namely:—

- (a) the name of the Tribunal to which the application is made;
- (b) the name, description and place of residence of the displaced debtor against whom the application is made;
- (c) Where the applicant or the respondent is a minor or a person of unsound mind, a statement to that effect;
- (d) the amount of the debts due from the displaced debtor and full particulars relating thereto;
- (e) a statement of any such fact or circumstance as may in his opinion be helpful to the Tribunal in the determination of the application.

6. *Form of notice under section 11.*—The notice referred to in section 11 shall be in form B.

7. *Form and contents of application under section 13.*—Every application by a displaced creditor under section 13 against a person who is not a displaced debtor shall be, as nearly as may be, in the form of a plaint in a suit under the Code of Civil Procedure, 1908 (Act V of 1908) and shall contain the following particulars, namely:—

- (a) the name of the Tribunal to which the application is made;
- (b) the name, description and place of residence of the applicant;
- (c) the name, description and place of residence of the respondent;
- (d) where the applicant or respondent is a minor or a person of unsound mind, a statement to that effect;
- (e) the amount of debts due from the displaced debtor and full particulars relating thereto; and
- (f) a statement of any such fact or circumstance as in the opinion of the applicant, may be helpful to the tribunal in the determination of the application.

8. *Form of notice under section 14.*—The notice referred to in section 14 shall be in form C.

9. *Registers.*—The following registers shall be maintained by every Tribunal, namely:—

- (a) a separate register in form D of applications under each of the section 5, 10, 13 and 18 and
- (b) a register in form E of notices referred to in rules 4, 6 and 8.

SCHEDULE

FORM A

Notice

(See rule 4)

To

(Name, description and place of residence.)

Respondent.

Whereas (name of the applicant) has made an application against you to this Tribunal for the adjustment of his debts under section 5 of the Displaced Persons (Debts Adjustment) Act, 1951 (LXX of 1951):

You are hereby called upon to show cause, if any, against the application by filing a written statement containing objections thereto within fifteen days of the service of this notice upon you.

Given under my hand and seal of the Tribunal, this.....day of.....195

Tribunal.

FORM B

Notice

(See rule 6)

To

(Name, description and place of residence of the displaced debtor.)

Respondent.

Whereas (name of the applicant) has made an application against you under section 10 of the Displaced Persons (Debts Adjustment) Act, 1951 (LXX of 1951):

You are hereby called upon either to show cause, if any, against the application within fifteen days of the service upon you of this notice or to make an application on your behalf under section 5 of the aforesaid Act within thirty days of the service upon you of this notice.

Given under my hand and the seal of the Tribunal, this.....day of.....195

Tribunal.

FORM C

Notice

(See rule 8)

To

(Name, description and place of residence.)

Respondent.

Whereas (name of the applicant) has made an application against you under section 13 of the Displaced Persons (Debts Adjustment) Act, 1951 (LXX of 1951):

You are hereby called upon to show cause, if any, against the application within fifteen days of the service of this notice upon you.

Given under my hand and the seal of the Tribunal, this.....day of.....195

Tribunal.

Form D
Register of Applications
(See rule 9)

	Serial No.	1	
	Date of presentation	2	
	Name and address of person making application	3	
	Names and addresses of respondents	4	
	Section of the Act under which application made	5	
	Amount of debt for which adjustment is sought or in the case of creditor, amount claimed	6	
	Number of hearings in the suit and duration of hearing	7	
	Date of passing final order	8	
	Amount for which decree has been passed	9	
	Date	(a)	Modification of the decree on appeal, review etc.:
	Nature of the order and court by which order passed	(b)	
	Purport of the order	(c)	
	Date of application	(a)	Execution
	Date of final order	(b)	
	Result	(c)	
	Date of despatch of record to the record Keeper	12	
	Number in the record keeper's register with the date of consignment in the record room	13	
	Remarks	14	

Register of Notices

(See rule 9)

[No. 68(20)/51-Prop.]

S.R.O. 54.—In exercise of the powers conferred by section 58 of the Displaced Persons (Debts Adjustment) Act, 1951, (LXX of 1951), the Central Government hereby makes the following rules in respect of the Part C States, namely:—

1. *Distribution of business amongst various Tribunals.*—Subject to such general or special orders which the Central Government may issue in this behalf, the Judicial Commissioner (or where there is no such Judicial Commissioner, the Chief Commissioner in consultation with the District Judge concerned) may from time to time make such arrangements as he deems fit for the distribution of business amongst the various tribunals functioning within the local limits of his jurisdiction.

2. *Manner of certification of documents produced before the Tribunal.*—Every tribunal shall on application made to it in this behalf grant to the applicant a copy of every document produced before it together with a certificate written at the foot of such copy that it is a true copy of such document or part thereof, as the case may be, and such certificate shall be dated and signed by such officer as the tribunal may appoint in this behalf with his name and official title and shall be sealed whenever such officer is authorised by the tribunal to make use of his seal.

3. *Returns.*—Every tribunal shall, at the end of every six months, forward to the (Chief Commissioner) a return in form "A" containing an abstract of the relevant entries in the register in form "D" in the Schedule to the Displaced Persons (Debts Adjustment) Rules, 1951 and showing the number of applications made during the period before the Tribunal under different sections of the Act, the number of applications disposed of, and the number of applications pending during the said period.

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MINISTRY OF COMMUNICATIONS

POSTS AND TELEGRAPHS

New Delhi, the 29th December 1951

S.R.O. 55.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government hereby directs that the following further amendment shall be made in the Indian Post Office Rules, 1933, namely:—

In clause (ee) of Rule 183 of the said Rules, after the words, figures, and brackets 'Representation of the People Act, 1951 (XLIII of 1951),' the words, figures and brackets "or public servants who are entitled by Rules made under clause (d) of sub-section (2) of section 169 of the said Act," shall be inserted.

[No. C-28-8/51.]

K. V. VENKATACHALAM, Dy. Secy.

MINISTRY OF TRANSPORT

LIGHTHOUSES

New Delhi, the 2nd January 1952

S.R.O. 56.—In exercise of the powers conferred by clause (a) of section 3 of the Indian Lighthouse Act, 1927 (XVII of 1927), and in supersession of the notification of the Government of India in the late Department of Commerce No. 18-M.II/29, dated the 30th March 1929, the Central Government hereby defines the areas specified in the first column of the annexed table to be districts for the purposes of the said Act under the designations specified in the corresponding entries in the second column thereof, namely:—

TABLE

S. No.	Areas	Designation of the district
1.	(a) The State of Saurashtra ; (b) The State of Kutch ; (c) The areas of Okhamandal, Dwarka and Kodinar Talukas of the Amreli District in the State of Bombay in which Okha, Dwarka, Samiyani and Diu Head Light houses fall.....	Saurashtra-Kutch District with headquarters at Jamnagar.
2.	The State of Bombay excluding the areas included in Saurashtra-Kutch District.....	
3.	(a) The State of Travancore-Cochine ; (b) The State of Madras.	Bombay District with headquarters at Bombay. Madras District with headquarters at Madras.
4.	(a) The State of Orissa ; (b) The State of West Bengal.	
		Calcutta District with headquarters at Calcutta.

[No. 315-M.T(3)/56.]

PORTS

New Delhi, the 8th January 1952

S.R.O. 57.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 4 of the Indian Ports Act, 1908 (XV of 1908) read with sub-section (3) of section 1 of the said Act and in supersession of the notification of the Government of India in the late Department of Communications No. 11-P(6)/42, dated the 5th May, 1942 and the notification of the former Government of Cochin No. 187 dated the 20th June, 1942 (6th Mithunam 1117) the Central Government hereby specially extends the provisions of sections 31 and 32 of the said Act to the entire Port of Cochin, the precise extent of the limits whereof has been declared in the notification of the Government of India in the Ministry of Transport No. 11-P(107)/49, dated the 8th January 1952.

[No. 11-P(107)/49.]

S.R.O. 58.—In exercise of the powers conferred by sections 4 and 5 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby extends the said Act to the entire port of Cochin comprised within the territories of the States of Madras and Travancore-Cochin, and in supersession of the notification of the Government of India in the late Department of Communications, No. 11-P(15)/37 dated the 11th July, 1940, and the notification of the former Government of Cochin No. 36 dated the 27th September 1940 (12th Kanni 1116), the Central Government hereby declares that the extent of the limits of the said port shall, for the purposes of the said Act, be as follows:—

From a point in the Arabian Sea at 10° North Latitude and three nautical miles due west from the high water mark on the Vypeen shore at the same Latitude, to the south along a line parallel to and at a distance of three nautical miles from the high water mark on the Vypeen, Cochin and Mattancheri shores to a straight line joining the high water mark on the Mattancheri shore at a point 3 land miles south of the southern entrance to the back-water to a point in the Arabian Sea 3 nautical miles due west at the same Latitude thence along the high water mark of the Cochin and Mattancheri foreshores up to the south eastern corner of survey No. 1323; thence in a straight line to a point approximately half a mile due south of the southernmost point of Venduruthy Island at a position approximately Latitude 9° 55' 38.02" N., Longitude 76° 16' 30.07" E.; thence in a straight line to a point on the Elamkulam shore due east of the southernmost point of the Venduruthy Island; thence to the north by high water mark along the Elamkulam and Ernakulam shores up to a point where it joins the 10° N. Latitude, thence due west along the 10° N. Latitude up to the point in the Arabian Sea three nautical miles due west from high water mark on the Vypeen shore herein before mentioned; and including the following:—

- (1) All land belonging to the Port.
- (2) The oil installations of Burmah Shell Oil Storage and Distributing Company of India Limited,
- (3) The oil installations of the Standard Vacuum Oil Company,
- (4) All future extensions of these two oil installations,
- (5) All navigable waters,
- (6) All land within 50 yards of high water mark, and
- (7) Wharves and other works made on behalf of the public for the convenience of traffic for safety of vessels or for the improvement, maintenance or good government of the Port but excluding all lands 50 yards away from the high water mark in Vypeen, Wallarpet, Bolghatty and Thanthony south of 10° North Latitude and all lands 50 yards away from high water mark in Ramanthuruthy and Venduruthy Islands.

[No. 11-P(107)/49.]

S.R.O. 59.—In exercise of the powers conferred by clause (8) of section 3 of the Indian Ports Act, 1908 (XV of 1908), and in supersession of the notification of the Government of India in the late Department of Commerce No. 210-P.&L.(19)/36, dated the 1st August 1936, the Central Government hereby declares that the entire port of Cochin comprised within the territories of the States of Madras and Travancore-Cochin shall be a major port.

[No. 11-P(107)/49.]

T. S. PARASURAMAN, Dy. Secy.

MINISTRY OF WORKS, PRODUCTION & SUPPLY

New Delhi, the 3rd January 1952

S.R.O. 60.—In exercise of the powers conferred by section 4 and sub-section (1) of section 29 of the Petroleum Act, 1934 (XXX of 1934), as applied to the storage and transport of cinematograph films having a nitrocellulose base by the Notifications of the Government of India in the late Department of Labour No. Ex. 108, dated the 14th January 1946, in the late Ministry of Works, Mines and Power No. MII-104(3), dated the 24th January 1951 and in the Ministry of Works, Production & Supply No. M-128(9)(vi), dated the 18th May 1951, the Central

Government hereby directs that the following further amendments shall be made in the Cinematograph Film Rules, 1948, the same having been previously published as required by sub-section (2) of section 29 of the said Act, namely:—

In the said Rules, for the first proviso to rule 18, the following proviso shall be substituted namely:—

"Provided that no licence shall be required for the storage of film:—

- (a) in any quantity not exceeding 200 lbs. in any place licensed under the Cinematograph Act, 1918, for the giving of exhibition by means of a cinematograph, or
- (b) in any quantity not exceeding 20 lbs. if the film is kept in prescribed containers and in a well ventilated room which is not used as a living room."

[No. M-108(5)/51.]

A. K. Sen, Under Secy.

MINISTRY OF LABOUR

New Delhi, the 4th January 1952

S.R.O. 61.—Whereas the Central Government is satisfied that public interest requires the extension of the period specified in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 1068, dated the 10th July 1951, declaring the coal industry so far as it is concerned with the production and supply of coal and coke to be a public utility service;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby declares the coal industry so far as it is concerned with the production and supply of coal and coke to be a public utility service for the purposes of the said Act for a further period of six months commencing from the 14th January 1952.

[No. LR. 1(32).]

New Delhi, the 5th January 1952

S.R.O. 62.—In exercise of the powers conferred by section 24 read with sub-section (1) of section 15 of the Payment of Wages Act, 1936 (IV of 1936), the Central Government hereby appoints the officer or officers appointed from time to time by the Government of Patiala and East Punjab States Union, under sub-section (1) of section 15 of the said Act, as the authority or authorities to hear and decide, within any area, all claims arising out of deductions from the Wages or delay in payment of the wages, of persons employed or paid within such area, to be the authority or authorities to hear and decide such claims in respect of persons employed or paid within that area by a railway administration.

[No. Fac. 61(60).]

ORDERS

New Delhi, the 3rd January 1952

S.R.O. 63.—Whereas the Central Government is of opinion that an industrial dispute exists between the employer, namely, Messrs Bird and Company Limited and the workmen in relation to the Standard Colliery;

And whereas the Central Government considers it desirable to refer for adjudication certain matters connected with, or relevant to, the said dispute;

Now, therefore, in exercise of the powers conferred by section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby refers to the Industrial Tribunal at Dhanbad constituted under section 7 of the said Act for adjudication the matters specified in the Schedule being matters connected with, or relevant to, the said dispute.

Schedule

Payment of gratuity, compensation or other reliefs to the workmen in relation to the Standard Colliery on account of the closure of that Colliery in February 1951.

[No. LR.4(200).]

New Delhi, the 4th January 1952

S.R.O. 64.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the banking companies specified in Schedule I hereto annexed and their workmen in respect of the matter specified in Schedule II hereto annexed;

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now therefore, in exercise of the powers conferred by section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal at Calcutta constituted under section 7 of the said Act.

Schedule I

- (1) Allahabad Bank, 6, Royal Exchange Place, Calcutta.
- (2) National Bank of India Limited, 19, Netaji Subhas Road, Calcutta.
- (3) Bank of Bikaner Ltd., Ganga Niwas, Public Park, Bikaner.
- (4) Chartered Bank of India, Australia and China, 4, Netaji Subhas Road, Calcutta.
- (5) Central Bank of India Ltd., Esplanade Road, Fort, Bombay.

Schedule II

Payment of wages for the period of the strike from the 23rd to 30th April 1951 to workmen of each of the banking companies specified in Schedule I in respect of their branches in the State of Uttar Pradesh.

[No. LR 100(7)/I.]

S.R.O. 65.—Whereas the Central Government is of opinion that an industrial dispute exists between the United Commercial Bank Ltd. and its workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal at Calcutta constituted under section 7 of the said Act.

Schedule

Payment of Wages for the period of the strike from 23rd to 30th April, 1951 to Shri A. C. Kakkar, a workman employed in the Agra Branch of the said Bank.

[No. LR 100(7)/II.]

New Delhi, the 8th January 1952

S.R.O. 66.—In exercise of the powers conferred by sections 7 and 10 of the Industrial Disputes Act, 1947 (XIV of 1947), read with section 21 of the General Clauses Act, 1897 (X of 1897), the Central Government hereby rescinds each of the orders of the Government of India in the Ministry of Labour, Nos. S.R.O. 204(51) dated the 6th February, 1951, and S.R.O. 463, dated the 27th March 1951, constituting an Industrial Tribunal and referring to the said Tribunal for adjudication industrial disputes in respect of matters specified in Schedule II to each such order between the employers mentioned in Schedule I thereto in relation to mica mines in Rajasthan and their workmen.

[No. LR-2(304)]

S. NEELAKANTAM, Dy. Secy.

New Delhi, the 8th January 1952

S.R.O. 67.—*Corrigendum*.—On page 37 of the Gazette of India extraordinary, Part II, Section 3, dated the 5th January 1952, in the order of the Government of India S.R.O. 36, dated the 5th January 1952 referring the disputes in banking companies for adjudication, for the word "referred" occurring in the first line of the last paragraph substitute the word "conferred".

[No. LR. 100(4)]

N. C. KUPPUSWAMI, Under Secy.